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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,540	07/26/2001	Masahiro Honjo	2001-1059A	4609

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EXAMINER

CHEVALIER, ROBERT

ART UNIT PAPER NUMBER

2621

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/912,540

Applicant(s)

HONJO, MASAHIRO

Examiner

Bob Chevalier

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/14/01</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Higuchi et al.

Higuchi et al discloses a video recording/reproducing apparatus that shows all the limitations recited in claims 1, and 11, including the feature of reading data from a first recording medium (See Higuchi et al's Figure 1, component 10), the feature of decoding the data readout to generate decoded data and re-coding the decoded data by a coding method which is different from the first coding method to generate re-coded data (See Higuchi et al's Figure 1, component 12, and also see Higuchi et al's Figures 2A-2B), and the feature of recording the re-coded data on the second recording medium as specified in the present claims 1, and 11. (See Higuchi et al's Figure 1, components 14, and 16).

With regard to claim 2, the feature of decoding audio data and recoding the decoded audio data as specified thereof would be present in cited reference of Higuchi et al. (See Higuchi et al's Figure 6, component 304, and Figure 8, component 406).

With regard to claim 3, the feature of decoding video data and re-coding the decoded video data as specified thereof would be present in cited reference of Higuchi et al. (See Higuchi et al's Figure 6, component 304, and Figure 8, component 406).

With regard to claim 4, the feature of decoding the video data and re-coding the same and the feature of recording at least part of the coded audio data and the re-coded video data on the second recording medium as specified thereof would be present in the cited reference of Higuchi et al. (See Higuchi et al's Figure 6, components 304, 310, and 360, and Figure 8, components 406, 412, and 460).

With regard to claim 5, the feature of decoding the audio data and re-coding the same and the feature of recording at least part of the coded audio data and the re-coded video data on the second recording medium as specified thereof would be present in the cited reference of Higuchi et al. (See Higuchi et al's Figure 6, components 304, 310, and 360, and Figure 8, components 406, 412, and 460).

With regard to claims 6, the feature of decoding both the video and the audio data and re-coding the same and the feature of recording at least part of the coded audio data and the re-coded video data on the second recording medium as specified thereof would be present in the cited reference of Higuchi et al. (See Higuchi et al's Figure 6, components 304, 310, and 360, and Figure 8, components 406, 412, and 460).

With regard to claims 7, and 14-15, the feature of the coding method being MPEG method and the JPEG coding method as specified thereof would be present in

Art Unit: 2621

the cited reference of Higuchi et al. (See Higuchi et al's Figure 6, components 312, and 360, and Figure 8, components 414, and 460).

With regard to claims 8-9, and 12, the feature of decoding both the video and the audio data and re-coding the same and the feature of recording at least part of the coded audio data and the re-coded video data on the second recording medium as specified thereof would be present in the cited reference of Higuchi et al. (See Higuchi et al's Figure 6, components 304, 310, and 360, and Figure 8, components 406, 412, and 460), and further, the feature of the coding method being MPEG method and the JPEG coding method as specified thereof would be present in the cited reference of Higuchi et al. (See Higuchi et al's Figure 6, components 312, and 360, and Figure 8, components 414, and 460).

With regard to claims 10, and 13, the feature of the conversion step of subjecting the decoded video data to a resolution conversion process for thinning out pixel values or a conversion process for converting the data format as specified thereof is present in Higuchi et al. (See Higuchi et al's Figures 2A-2B).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

Art Unit: 2621

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

B.Chevalier
November 30, 2006.


ROBERT CHEVALIER
PRIMARY EXAMINER